

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

Bail Appl..No. 7155 of 2006(H)

AGAINST THE JUDGEMEN IN WPC.28486/2006
CRIME NO.210/06 OF VILAPPILSALA POLICE STATION
.....

: PETITIONER/ACCUSED

HARIKUMAR, PADINJATTIL VEEDU,
PULIYARAKONAM P.O., VILAPPILSALA VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.GOPAKUMAR R.THALIYAL
SRI.S.VENUGOPAL

RESPONDENT:

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 05/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V.RAMKUMAR, J.

B.A.No. 7155 OF 2006

DATED THIS THE 5TH DAY OF DECEMBER, 2006

O R D E R

Petitioner who is the 3rd accused in Crime No.210/06 of Vilappilsala Police Station for an offence punishable under section 55 (a) of the Abkari Act for allegedly transporting 8331 litres of spirit on 25.9.2006, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. It is too early to conclude that the petitioner has nothing to do with the contraband spirit seized on 25.9.2006. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not seek regular bail after surrendering before the Magistrate concerned. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this observation, this petition is dismissed.

V.RAMKUMAR, JUDGE

dsn